

No. 11(112)-80-3Lab/8563.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Faridabad in respect of the dispute between the workmen and the management of M/s. Berrysons (India) Private Ltd., 45, DLF, Industrial Estate-14, Mathura Road, Faridabad:—

BEFORE SHRI I. P. CHAUDHARY, PRESIDING OFFICER, LABOUR COURT, HARYANA, FARIDABAD

Reference No. 260 of 1980

*between*

SHRI RAGHU NATH, WORKMAN AND THE MANAGEMENT OF M/S BERRYSONS (INDIA) PRIVATE LTD., 45 DLF, INDUSTRIAL ESTATE-14, MATHURA ROAD, FARIDABAD.

Present:—

None for the Workman.

Shri K. K. Parashar for the management.

#### AWARD

This reference No. 260 of 1980 has been referred to this Court by the Hon'ble Governor of Haryana,—*vide* his order No. ID/FD/64-80/25570, dated 19th May, 1980, under section 10 (i) (c) of the Industrial Disputes Act, 1947, for adjudication of the dispute existing between Shri Raghu Nath, workman and the management of M/s. Berrysons (India) Private Ltd. 45, DLF, Industrial Estate-14, Mathura Road, Faridabad. The term of the reference was:—

Whether the dismissal of services of Shri Raghu Nath was justified and in order? If so, to what relief is he entitled?

After receiving this reference-notices were issued to both the parties for 19th June, 1980. On 19th June, 1980 no one was present on behalf of the workman and it was ordered by me that *ex parte* proceedings be held against the workman and the case was fixed for the *ex parte* evidence of the management for 30th June, 1980.

To-day the *ex parte* evidence of the management was recorded. The management produced Shri K. K. Parashar, authorised representative, its sole witness. He stated on oath that the workman had filed his demand notice on 3rd March, 1980. After conciliation meeting, the Labour Officer, Faridabad-I had been sent the failure report on that demand notice. After some time, both the parties did approach the Labour Officer for reconciliation. Thus there had been an agreement on 22nd April, 1980, before the Conciliation Officer, under section 12(3) of the Industrial Disputes Act, 1947. He filed a photo copy of settlement dated 22nd April, 1980, which is Exhibit M-1. He had also filed a photo copy of voucher of payment of Rs 2,078.20 paise which is Exhibit M-2. According to this settlement, the workman had received a sum of Rs 2,075.50 in full and final settlement of all his dues including the right of reinstatement or re-employment. He also stated that he had signed this settlement. He further stated that there was no dispute left between the parties.

In the above circumstances, the un-rebutted statement of the management is relied upon and it is held that the reference is bad, as no claim is made out of the workman against the management, therefore, I give my award accordingly. No order as to costs. This may be read in answer of this reference.

Dated, the 30th June, 1980.

I. P. CHAUDHARY,

Presiding Officer,  
Labour Court, Haryana,  
Faridabad,

Endorsement No. 1067, dated the 1st July, 1980.

Forwarded (four copies) to the Secretary to Government of Haryana, Labour & Employment Department, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947 with the request that the receipt of the above said award may please be acknowledged within week's time.

I. P. CHAUDHARY,

Presiding Officer,  
Labour Court, Haryana,  
Faridabad.